

## **ROSEVILLE ZONING BOARD OF APPEALS**

CIVIC CENTER COUNCIL CHAMBERS  
29777 GRATIOT AVENUE  
ROSEVILLE, MI 48066

**Tuesday, August 19, 2014**  
7:00 p.m.

### ROLL CALL:

PRESENT:	Mayor	John Chirkun
	Mayor Pro Tem	Robert Taylor

BOARD MEMBERS:	Jan Haggerty
	Catherine Haugh
	Colleen McCartney
	Bill Shoemaker

ABSENT :	Salvatore Aiuto
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OTHERS PRESENT:	
Building Director	Glenn Sexton
City Manager	Scott A. Adkins
City Attorney	Tim Tomlinson

Mayor John Chirkun called the meeting to order at 7:00 p.m. with the Pledge of Allegiance.

**I. ROUTINE MATTERS**

**II. NEW BUSINESS**

1. **Public hearing and Board consideration for variance to erect wall signage in excess of 150' on the property at 28804 Gratiot, Walmart, Larry Craighead – Architect/ Rebeca Ewing – Project Manager, petitioners.**

Petitioner Larry Craighead appeared on behalf of this request.

Building Director Glenn Sexton received no correspondence.

MAYOR PRO TEM ROBERT TAYLOR moved, BOARD MEMBER JAN HAGGERTY seconded to close the Public Hearing.

**MOTION CARRIED UNANIMOUSLY**

BOARD MEMBER JAN HAGGERTY moved, MAYOR PRO TEM ROBERT TAYLOR seconded to approve the request for a variance based upon the finding that the additional signage is needed due to unique circumstance that the store is set back approximately 400 feet from the right of way.

IT IS RESOLVED THAT, pursuant to the application and testimony of the petitioner, and the Zoning Board of Appeals having taken into consideration the nature of the land in question, buildings and other structures located thereon and adjacent thereto, the character of the neighborhood and its general physical development, together with the applicable zoning, and having given consideration to the health, safety and welfare of the area in question, and having considered all of the pertinent factors, it is the finding of this Zoning Board of Appeals that granting the following variance:

PERMISSION TO ERECT WALL SIGNAGE IN EXCESS OF 150' ON THE PROPERTY AT 28804 GRATIOT, ROSEVILLE MI 48066

PERMANENT PARCEL NO. 14-16-101-005

VAR. #2314

will be in harmony with the general purpose and intent of Zoning Ordinance No. 1064 Section 264-5B3b and will not be injurious to the neighborhood or otherwise detrimental to the public welfare, and therefore, is hereby granted.

**MOTION CARRIED UNANIMOUSLY**

BOARD MEMBER JAN HAGGERTY moved, MAYOR PRO TEM ROBERT TAYLOR seconded to excuse Board Member Salvatore Aiuto.

**MOTION CARRIED UNANIMOUSLY**

2. **Public hearing and Board consideration for variance to keep a commercial vehicle on residentially zoned property at 16942 Frazho Road, Michigan Exhaust Cleaning, David Alan Ott, petitioner.**

Petitioner David Alan Ott appeared on behalf of this request.

Building Director Glenn Sexton received three letters in favor of this request.

BOARD MEMBER COLLEEN MCCARTNEY moved, BOARD MEMBER JAN HAGGERTY seconded to close the Public Hearing.

**MOTION CARRIED UNANIMOUSLY**

BOARD MEMBER BILL SHOEMAKER moved, BOARD MEMBER JAN HAGGERTY seconded to approve the petitioners request for a variance based upon the finding that an undue hardship exists, storage of the vehicle on commercial property would reduce the petitioners ability to promptly service his customers.

IT IS RESOLVED THAT, pursuant to the application and testimony of the petitioner, and the Zoning Board of Appeals having taken into consideration the nature of the land in question, buildings and other structures located thereon and adjacent thereto, the character of the neighborhood and its general physical development, together with the applicable zoning, and having given consideration to the health, safety and welfare of the area in question, and having considered all of the pertinent factors, it is the finding of this Zoning Board of Appeals that granting the following variance:

PERMISSION TO KEEP A COMMERCIAL VEHICLE ON RESIDENTIALLY ZONED PROPERTY AT 16942 FRAZHO ROAD ROSEVILLE MI 48066.

PERMANENT PARCEL NO. 14-20-302-005

VAR. #2414

will be in harmony with the general purpose and intent of Zoning Ordinance No. 1202 Section 2304 (11) will not be injurious to the neighborhood or otherwise detrimental to the public welfare, and therefore, is hereby granted.

**MOTION CARRIED UNANIMOUSLY**

3. **Public hearing and Board consideration for variance to keep landscape treatment in excess of 32' in the front area on the property at 18905 Voiland, Wallace Shaw, petitioner.**

BOARD MEMBER JAN HAGGERTY moved, BOARD MEMBER COLLEEN MCCARTNEY seconded to move this item to the end of the meeting.

**MOTION CARRIED UNANIMOUSLY**

4. **Public hearing and Board consideration for variance to construct addition to the front of existing structure within the required front setback on the property at 28560 Gratiot, Noni's Grille, Gjeto Vulaj, petitioner.**

Petitioner Gjeto Vulaj appeared on behalf of this request.

Building Director Glenn Sexton received no correspondence.

The following individual spoke:

- Joseph Defelice – 15447 Curtis, is in favor of this request

MAYOR PRO TEM ROBERT TAYLOR moved, BOARD MEMBER JAN HAGGERTY seconded to close the Public Hearing.

**MOTION CARRIED UNANIMOUSLY**

MAYOR PRO TEM ROBERT TAYLOR moved, BOARD MEMBER JAN HAGGERTY seconded to approve the request for a variance based upon the condition that all ingress and egress driveways be relocated to allow for improved line of site.

IT IS RESOLVED THAT, pursuant to the application and testimony of the petitioner, and the Zoning Board of Appeals having taken into consideration the nature of the land in question, buildings and other structures located thereon and adjacent thereto, the character of the neighborhood and its general physical development, together with the applicable zoning, and having given consideration to the health, safety and welfare of the area in question, and having considered all of the pertinent factors, it is the finding of this Zoning Board of Appeals that granting the following variance:

PERMISSION TO CONSTRUCT ADDITION TO THE FRONT OF EXISTING STRUCTURE WITHIN THE REQUIRED FRONT SETBACK ON THE PROPERTY AT 28560 GRATIOT ROSEVILLE MI 48066.

PERMANENT PARCEL NO. 14-17-232-028

VAR. #2614

will be in harmony with the general purpose and intent of Zoning Ordinance No. 1202 Section 1801h will not be injurious to the neighborhood or otherwise detrimental to the public welfare, and therefore, is hereby granted.

**MOTION CARRIED UNANIMOUSLY**

5. **Public hearing and Board consideration for variance to erect 672sf off premise billboard sign on the property at 29456 Groesbeck, VIP Media Inc., Joseph Oram, petitioner.**

MAYOR PRO TEM ROBERT TAYLOR moved, BOARD MEMBER JAN HAGGERTY seconded to table items 5 and 6.

**MOTION CARRIED UNANIMOUSLY**

6. **Public hearing and Board consideration for variance to erect 627sf off premise billboard sign with separation of less the 1000' from another off premise billboard sign on the property at 29456 Groesbeck, VIP Media Inc., Joseph Oram, petitioner.**

MAYOR PRO TEM ROBERT TAYLOR moved, BOARD MEMBER JAN HAGGERTY seconded to table items 5 and 6.

**MOTION CARRIED UNANIMOUSLY**

7. **Public hearing and Board consideration for variance to install under canopy lighting in excess of 4.5 foot candle of lighting intensity on the property at 30200 Gratiot Kroger, Matthew Pisko, petitioner.**

Petitioner Matthew Pisko appeared on behalf of this request.

Building Director Glenn Sexton received no correspondence.

MAYOR PRO TEM ROBERT TAYLOR moved, BOARD MEMBER JAN HAGGERTY seconded to close the Public Hearing.

**MOTION CARRIED UNANIMOUSLY**

BOARD MEMBER JAN HAGGERTY moved, BOARD MEMBER COLLEEN MCCARTNEY seconded to approve the request for a variance based upon the finding that the overall site lighting intensity will be ordinance compliant.

IT IS RESOLVED THAT, pursuant to the application and testimony of the petitioner, and the Zoning Board of Appeals having taken into consideration the nature of the land in question, buildings and other structures located thereon and adjacent thereto, the character of the neighborhood and its general physical development, together with the applicable zoning, and having given consideration to the health, safety and welfare of the area in question, and having considered all of the pertinent factors, it is the finding of this Zoning Board of Appeals that granting the following variance:

PERMISSION TO INSTALL UNDER CANOPY LIGHTING IN EXCESS OF 4.5' CANDLE OF LIGHTING INTENSITY ON THE PROPOERTY AT 30200 GRATIOT ROSEVILLE MI 48066.

PERMANENT PARCEL NO. 14-09-176-018

VAR. #2914

will be in harmony with the general purpose and intent of Zoning Ordinance No. 1202 Section 2305-1A3b will not be injurious to the neighborhood or otherwise detrimental to the public welfare, and therefore, is hereby granted.

**MOTION CARRIED UNANIMOUSLY**

**8. Public hearing and Board consideration for variance to keep landscape treatment in excess of 32' in the front area on the property at 18905 Voiland, Wallace Shaw, petitioner.**

Petitioner Wallace Shaw was not present.

Building Director Glenn Sexton received no correspondence.

BOARD MEMBER COLLEEN MCCARTNEY moved, BOARD MEMBER JAN HAGGERTY seconded to close the Public Hearing.

**MOTION CARRIED UNANIMOUSLY**

BOARD MEMBER BILL SHOEMAKER moved, BOARD MEMBER JAN HAGGERTY seconded to approve the petitioners request for a variance based upon the finding that an undue hardship exists, Mr. Shaws property is much larger than the average lot in the City being almost 200 feet wide by 400 feet deep.

IT IS RESOLVED THAT, pursuant to the application and testimony of the petitioner, and the Zoning Board of Appeals having taken into consideration the nature of the land in question, buildings and other structures located thereon and adjacent thereto, the character of the neighborhood and its general physical development, together with the applicable zoning, and having given consideration to the health, safety and welfare of the area in question, and having considered all of the pertinent factors, it is the finding of this Zoning Board of Appeals that granting the following variance:

PERMISSION TO KEEP LANDSCAPE TREATMENT IN EXCESS OF 32' IN THE FRONT YARD AREA ON THE PROPERTY AT 18905 VOILAND ROSEVILLE MI 48066.

PERMANENT PARCEL NO. 14-04-101-014

VAR. #2514

will be in harmony with the general purpose and intent of Zoning Ordinance No. 895 Section 134-5B will not be injurious to the neighborhood or otherwise detrimental to the public welfare, and therefore, is hereby granted.

**MOTION CARRIED UNANIMOUSLY**

### **III. HEARING OF THE PUBLIC**

The following individuals spoke:

- Robert Hannaford – 16902 Frazho

### **IV. ADJOURNMENT**

BOARD MEMBER JAN HAGGERTY moved, BOARD MEMBER COLLEEN MCCARTNEY seconded that the agenda having been acted upon, the meeting is hereby adjourned at 7:28 p.m.

**MOTION CARRIED UNANIMOUSLY**

Respectfully submitted,

Richard M. Steenland, City Clerk